

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 29

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte THOMAS S. LEE

Appeal No. 2003-2055
Application No. 09/399,213

HEARD: March 17, 2004

Before JERRY SMITH, FLEMING, and BLANKENSHIP, Administrative Patent Judges.
BLANKENSHIP, Administrative Patent Judge.

DECISION ON APPEAL

This is a decision on appeal under 35 U.S.C. § 134 from the examiner's final rejection of claims 1-42, which are all the claims in the application

We reverse.

BACKGROUND

The invention relates to a multi-media database that may be accessed by multiple users. In particular, the invention is directed to method and apparatus for executing a command in a computer to retrieve data from a data store connected to the computer. In the context of the instant disclosure, the term “workbasket” refers to a particular task within a series of tasks. A request to identify a workbasket in which an item resides is received by the computer. When it is determined that the item resides in a workbasket, a workbasket identification is returned. The invention thus provides the ability to determine where a data item resides in a workflow process. Representative claim 1 is reproduced below.

1. A method of executing a command in a computer to retrieve data from a data store connected to the computer, the method comprising:
 - receiving a request to identify a task within a series of tasks to which an item is associated;
 - determining whether the item is associated with said task; and
 - returning an identifier of said task in response to determining that the item is associated with said task.

The examiner relies on the following references:

Li et al. (Li)	5,596,750	Jan. 21, 1997
Antognini et al. (Antognini)	5,649,185	Jul. 15, 1997

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Choy	6,256,636 B1	Jul. 3, 2001 (filed Nov. 26, 1997)
Kauffman et al. (Kauffman)	6,260,040 B1	Jul. 10, 2001 (filed Jan. 5, 1998)

Claims 1, 12, 13, 25, and 37-42 stand rejected under 35 U.S.C. § 103 as being unpatentable over Choy and Li.

Claims 2-5, 14-17, and 26-29 stand rejected under 35 U.S.C. § 103 as being unpatentable over Choy, Li, and Kauffman.

Claims 6-11, 18-24, and 30-36 stand rejected under 35 U.S.C. § 103 as being unpatentable over Choy, Li, and Antognini.

We refer to the Final Rejection (Paper No. 13) and the Examiner's Answer (Paper No. 19) for a statement of the examiner's position and to the Brief (Paper No. 18) and the Reply Brief (Paper No. 24) for appellant's position with respect to the claims which stand rejected.

OPINION

In response to the section 103 rejection of claims 1, 12, 13, 25, and 37-42 as being unpatentable over Choy and Li, appellant contends that the applied prior art fails to teach or suggest all limitations of instant claim 1.

Although Li mentions a task identifier (Tid) only at col. 8, lines 27-28 and shows it in Fig. 2 without explanation, Li neither teaches nor suggests determining that an item is associated with the task, much less returning the task identifier in response [to] such a determination, as required by the

claims. In fact, Li does not even describe how that task identifier is to be used, but only mentions it in passing.

(Brief at 7.)

Appellant argues that claim 1 requires receiving a request to identify a task to which an item is associated, determining whether that item is associated with the task, and returning an identifier of the task in response to such a determination. The combination of Choy and Li “would merely assign to the workbaskets of Choy the task identifiers of Li.” (Id.)

In response to appellant’s arguments, the examiner refers (Answer at 9) back to the statement of the rejection in the Answer. According to the rejection, Choy discloses receiving a request and sending a result to the request. Choy also discloses searching, navigating, checking-out, and other operations for a request of an item. Choy is deemed to be silent on an identification of the task. The examiner finds that Li, however, discloses a task identifier in a workflow management. Li also teaches associating an item and a task, and a display of items associated with a task. (Answer at 4-5.)

After careful consideration of the examiner’s findings, the references, and, in particular, the portions of the references relied upon by the instant rejection, we agree with appellant that a prima facie case for obviousness has not been established. Although claim 1 is drafted in broad terms, the rejection insufficiently addresses the particular limitations of the claim. The references fail to teach or suggest receiving a

request to identify a task within a series of tasks to which an item is associated, and returning an identifier of the task in response to determining that the item is associated with the task.

The section 103 rejection over Choy and Li does not separately address the remaining independent claims (13 and 25). Each of claims 13 and 25 recites functions similar to those of the limitations of claim 1 that are not taught by the combination of Choy and Li. Further, since neither Kauffman nor Antognini remedy the deficiencies of the rejection applied against the base claims, we do not sustain any of the rejections under 35 U.S.C. § 103.

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CONCLUSION

The rejections of claims 1-42 under 35 U.S.C. § 103 are reversed.

REVERSED

JERRY SMITH
Administrative Patent Judge

MICHAEL R. FLEMING
Administrative Patent Judge

HOWARD B. BLANKENSHIP
Administrative Patent Judge

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